

06/13/2008

PATENT
930108-2010**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Yann LE RU
Serial No. : 10/533,897
Filed : May 5, 2005
Title of Invention : DEVICE FOR MANOEUVRING A SUSPENDED
BLIND
Examiner : David M. Purol
Art Unit : 3634
Confirmation No. : 7899

745 Fifth Avenue
New York, NY 10151

<p><u>CERTIFICATE OF ELECTRONIC FILING</u></p> <p>I hereby certify that this correspondence is being transmitted via Electronic Filing Services on June 10, 2008.</p> <p>_____ Patricia A. Dubyne (Name of person signing transmittal)</p> <p><i>Patricia A. Dubyne</i> _____ Signature</p> <p>_____ June 10, 2008 Date of Signature</p>

SECOND AMENDMENT UNDER 37 C.F.R. §1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant previously filed a reply to the Office Action mailed February 11, 2008. An Advisory Action issued May 21, 2008. Applicant now submits a second reply to the Office Action. Applicant previously paid for a one-month extension of time to respond to the Office Action mailed on February 11, 2008, extending the statutory period for response set to expire on

June 11, 2008. No additional fee is believed due at this time. In response to Office Action please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 6 of this paper.

IN THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application. An identifier indicating the status of each claim is provided.

Listing of Claims:

1. (Canceled)
2. (Previously Presented) Operating device according to claim 10, wherein the first mounting part and the second mounting part are assembled by non-permanent connections.
3. (Previously Presented) Operating device according to claim 2, wherein the first mounting part and the second mounting part are assembled by means of engagement by elastic deformation
4. (Previously Presented) Operating device according to claim 10, wherein the first mounting part and the second mounting part are joined to each other by bringing them together in a direction parallel to an axis of the winding drum.
5. (Withdrawn) Operating device according to claim 10, wherein the first mounting part and the second mounting part are joined to each other by bringing them together in a direction perpendicular to an axis of the winding drum.

6. (Previously Presented) Operating device according to claim 2, wherein the first mounting part and the second mounting part are joined to each other by bringing them together in a direction parallel to an axis of the winding drum.

7. (Withdrawn) Operating device according to claim 3, wherein the first mounting part and the second mounting part are joined to each other by bringing them together in a direction parallel to an axis of the winding drum.

8. (Withdrawn) Operating device according to claim 2, wherein the first mounting part and the second mounting part are joined to each other by bringing them together in a direction perpendicular to an axis of the winding drum.

9. (Withdrawn) Operating device according to claim 3, wherein the first mounting part and the second mounting part are joined to each other by bringing them together in a direction perpendicular to an axis of the winding drum.

10. (Currently Amended) An apparatus for operating a blind comprising:
a winding drum;
a first mounting part;
a second mounting part assembled to the first mounting part, said first mounting part and said second mounting part shaped to provide a through hole when assembled; and
at least one cord passing through the through hole and having a first end fixed to the winding drum and a second end connected to the blind,

wherein the first mounting part and the second mounting part each support the winding drum from below by direct contact with the winding drum.

11. (Previously Presented) The apparatus of claim 10, wherein, when the apparatus is installed in a headrail, the first mounting part and the second mounting part transmit a force exerted on the winding drum to the headrail.

12. (Previously Presented) The apparatus of claim 10, wherein the first mounting part includes a first cutout and the second mounting part includes a second cutout such that, when assembled to each other, the first and second cutouts form the through hole

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 2-12 are currently pending. Claims 5 and 8-9 were previously withdrawn as directed to a non-elected species without prejudice or surrender of subject matter. Claim 10 is independent. Claim 10 is hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. TELEPHONE INTERVIEW

Applicant's representative thanks the Examiner for granting the telephone interview on June 10, 2008. Applicant's representative proposed claim language to overcome the Hennequin reference. The Examiner agreed to consider a second amendment after final. However, the Examiner made no commitment as to acceptable claim language. Applicant's representative thanks the Examiner for consideration of this second amendment after a Final Action.

III. REJECTIONS UNDER 35 U.S.C. §102

Claims 2-4, 6, 7, and 10-12 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 3,352,349 to Hennequin.

Applicant respectfully traverses this rejection.

Independent claim 10 recites, *inter alia*:

“wherein the first mounting part and the second mounting part each support the winding drum from below by direct contact with the winding drum.”

Applicant has added a structural limitation to overcome the Hennequin reference.

Applicant incorporates by reference the arguments presented in his previous reply of May 13, 2008.

In summary, the Examiner had asserted Hennequin’s operating shaft 2 is supported by upper part 3, lower part 4, partition wall 11 and end wall 12. We argued that element 11 (and 12) of Hennequin is a dividing wall to form a passageway for the ladder cords but do not also support the winding drum. In response, the Examiner commented in the Advisory Action, “inasmuch as the partition wall 11 of Hennequin is an element of the assembled bearing it provides support for the operating shaft 2.”

Applicant notes in Hennequin only lower part 4 is in direct contact with the winding drum from below. That is, only lower part 4 supports the winding drum below by direct contact with the drum.

The present amendment of claim 10 adds a structural limitation that defines the relationship between the first and second mounting parts and the winding drum. The first and second mounting parts: (1) form a through hole when assembled, and also (2) function to support

the winding drum from below by direct contact with the winding drum. Applicant believes this structural limitation distinguishes the present claims from the Hennequin reference.

Thus, claim 10 recites, “a first mounting part . . . a second mounting part assembled to the first mounting part, said first mounting part and said second mounting part shaped to provide a through hole when assembled . . . wherein the first mounting part and the second mounting part each support the winding drum from below by direct contact with the winding drum.”

Hence, claim 10 is not anticipated by Hannequin because that reference does not disclose each and every element recited in the claim.

IV. DEPENDENT CLAIMS

The other claims are dependent from claim 10 as discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

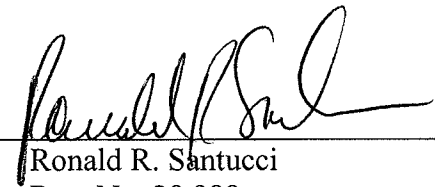
Claims 2-4, 6, 7, and 10-12 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By: 

Ronald R. Santucci
Reg. No. 28,988
(212) 588-0800